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OFFICE OF PETITIONS

In re Patent No. 6,816,222

Issued: November 9, 2004

Application No. 10/051,185

Filed: January 22, 2002

Attorney Docket No. HITA.0153

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ON PETITION

This is a decision on the petition filed November 8, 2004, requesting withdrawal of the above-identified application from issue after payment of the issue fee.

The petition is **DISMISSED** as moot.

Unfortunately, the petition did not reach the appropriate official for decision within sufficient time to avert issuance of the application into a patent.<sup>1</sup> Petitioner's attention is directed to 37 CFR 1.313(d), which states:

A petition under this section will not be effective to withdraw the application from issue unless it is actually received and granted by the appropriate officials **before the date of issue**. Withdrawal of an application from issue after payment of the issue fee may not be effective to avoid publication of application information.

The information disclosure statement (IDS) has been placed in the file of the above-identified application without further consideration. See 37 CFR 1.97(l).

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

The patented file is being referred to Files Repository.

Karen Creasy  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

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<sup>1</sup>The instant petition was received in the Office of Petitions on November 17, 2004.